

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LARRY FORD,

Plaintiff,

v.

GROSS,

Defendant.

No. 2:21-cv-1095 TLN AC P

ORDER

Plaintiff, a state prisoner proceeding pro se, seeks relief pursuant to 42 U.S.C. § 1983. This proceeding was referred to this court by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1)(B).

On July 28, 2021, the court issued findings and recommendations which (1) denied plaintiff's motion to stay this action pending the exhaustion of his administrative remedies and (2) recommended that this action be dismissed for failure to file an application to proceed in forma pauperis, or in the alternative, to pay the filing fee. ECF No. 12. Plaintiff was given twenty-one days to file objections to the order. See id. at 3.

On August 6, 2021, plaintiff filed objections to the findings and recommendations. See ECF No. 13. In his objections, plaintiff acknowledges that he has yet to exhaust his administrative remedies and therefore asks that this action be dismissed. See id. at 2.

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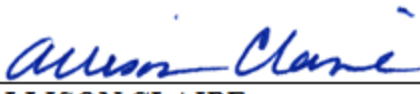
Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations issued July 28, 2021 (ECF No. 12), are
VACATED;

2. Pursuant to plaintiff's request, ECF No. 13 at 2, this matter is VOLUNTARILY
DISMISSED pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i); and

3. This case is CLOSED.

DATED: August 12, 2021


ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE